United Nations A/C.2/53/L.7/Rev.1

General Assembly

Distr.: Limited
19 November 1998

Original: English

Fifty-third session
Second Committee
Agenda item 92 (a)
Sectoral policy questions: business and development

Argentina, Australia, Austria,* Brazil, Bolivia, Bulgaria, Canada, Chile, Costa Rica, Côte d'Ivoire, Croatia, Czech Republic, Equatorial Guinea, Georgia, Iran (Islamic Republic of), Kazakhstan, Kyrgyzstan, Japan, Mexico, Nicaragua, Paraguay, Peru, Romania, Russian Federation, South Africa, Thailand, Ukraine, Uruguay, Venezuela and United States of America: revised draft resolution

Action against corruption and bribery in international commercial transactions

The General Assembly,

Recalling its resolution 3514 (XXX) of 15 December 1975, in which it, *inter alia*, condemned all corrupt practices, including bribery, in international commercial transactions, reaffirmed the right of any State to adopt legislation and to investigate and take appropriate legal action, in accordance with its national laws and regulations, against such corrupt practices, and called upon all Governments to cooperate to prevent corrupt practices, including bribery,

Concerned about the seriousness of problems posed by corruption, which may endanger the stability and security of societies, undermine the values of democracy and morality and jeopardize social, economic and political development,

Disturbed by the bribery of public officials by individuals and enterprises of other States in relation to international commercial transactions,

Recalling the further work carried out by the General Assembly and the Economic and Social Council on elaborating the International Code of Conduct for Public Officials[1] and a code of conduct for transnational corporations,[2] consideration of which helped call

* On behalf of the States Members of the United Nations that are members of the European Union.

[1] Resolution 51/59, annex.

[2] E/1991/31/Add.1.

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attention to and raise international awareness of the adverse consequences of corruption and bribery in international commercial transactions,

Noting the Rules of Conduct to Combat Extortion and Bribery in International Business Transactions of the International Chamber of Commerce,

Recalling its resolution 51/191 of 16 December 1996, by which it adopted the United Nations Declaration against Corruption and Bribery in International Commercial Transactions, and its resolution 52/87 of 12 December 1997, by which it called for further measures to implement the Declaration,

1. *Welcomes* recent multilateral initiatives to combat corruption including, *inter alia*, the Inter-American Convention against Corruption,[3] the Organization for Economic Cooperation and Development Convention on Combating Bribery of Foreign Public Officials in International Business Transactions, the Dakar Declaration on the Prevention and Control of Organized Transnational Crime and Corruption, the Manila Declaration on the Prevention and Control of Organized Transnational Crime and Corruption, the Convention on the fight against corruption involving the officials of the European Communities or officials of member States of the European Union;

2. *Takes note* of the report of the Secretary-General on promotion and maintenance of the rule of law: action against corruption and bribery;[4]

3. *Commends* the work of the Commission on Crime Prevention and Criminal Justice and the Centre for International Crime Prevention in combating corruption and bribery in international commercial transactions, including the convening of an open-ended meeting of governmental experts;

4. *Calls upon* Member States to take all possible measures to further the implementation of the United Nations Declaration against Corruption and Bribery in International Commercial Transactions[5] and relevant international declarations and to ratify, where appropriate, existing instruments against corruption;

5. *Requests* the United Nations Conference on Trade and Development and other competent bodies of the United Nations system, within their respective mandates and agreed work programmes, to assist Member States, at their request, in implementing national programmes to strengthen accountability and transparency and in implementing relevant conventions, declarations and instruments to combat corruption and bribery in international commercial transactions and, in that context, welcomes the valuable work done by the United Nations Development Programme in the field of governance;

6. *Also requests* the Secretary-General, in close consultation with the United Nations Conference on Trade and Development, to report to the General Assembly at its fifty-fifth session on measures taken by Member States and competent international and regional organizations, non-governmental organizations and the private sector to implement the present resolution.

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[3] See E/1996/99.

[4] A/53/384.

[5] Resolution 51/191, annex.